

AMENDMENT TO H.R. 1
OFFERED BY MR. CULBERSON

Add at the end the following new title:

1 **TITLE —STATES TO RETAIN**
2 **RIGHTS AND AUTHORITIES**
3 **THEY DO NOT EXPRESSLY**
4 **WAIVE.**

5 **SEC. . STATES TO RETAIN RIGHTS AND AUTHORITIES**
6 **THEY DO NOT EXPRESSLY WAIVE.**

7 (a) RETENTION OF RIGHTS AND AUTHORITIES.—No
8 officer, employee, or other authority of the Federal Gov-
9 ernment shall enforce against an authority of a State, nor
10 shall any authority of a State have any obligation to obey,
11 any requirement imposed as a condition of receiving Fed-
12 eral financial assistance under a State administered for-
13 mula grant program authorized under the Elementary and
14 Secondary Education Act of 1965 (other than title I, part
15 A), nor shall such program operate within a State, unless
16 the legislature of that State shall have by law expressly
17 approved that program and, in doing so, have waived the
18 State's rights and authorities to act inconsistently with
19 any requirement that might be imposed by the Federal
20 Government as a condition of receiving assistance under
21 that program.



1 (b) DEFINITION OF STATE AUTHORITY.—As used in
2 this section, the term “authority of a State” includes any
3 officer or employee of the State and any local government
4 authority of the State.

5 (c) EFFECTIVE DATE.—This section applies in each
6 State beginning at the end of the first regular session of
7 the legislature of that State that begins after the date of
8 the enactment of this Act.

